

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCE

Applicant: Scot Young

Date: November 26, 2001

Serial No.: 09/588,778

Examiner: Shriver

Filing Date: June 5, 2000

Art Unit: 3611

Title: MOP BUCKET AND TROLLEY

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AND INTERFERENCES

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Brief
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APPELLANT'S REPLY

This is in reply to the Examiner's Answer mailed November 5, 2001.

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Item 8 - Claims Appealed

The examiner is correct.

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Item 11 - Response to Argument

The examiner states in his answer that "Wells is solely relied upon to teach that it is old and well known in this art to connect mop buckets with other objects, including other mop buckets". Applicant reads Wells to disclose only connecting two mop buckets together. The patent lacks any teaching about connecting a mop bucket to "other objects" as stated by the examiner. The examiner's statement from Col. 1, lines 20-25 in Kresse is correct. Applicant differs from the examiner concerning the insight to be gained from Wells and Kresse. To the extent the examiner misread Wells to disclose connecting a mop bucket with anything other than another mop bucket, that may have colored his views about the claimed combination of a cleaning trolley and mop bucket. All Kresse discloses is a trolley with a trailer and all Wells discloses are two mop buckets connected together. The teaching for the combination is still missing.

With respect to the examiner's characterization of applicant's suggestion on page 5 of its brief, applicant did not directly contend that the examiner used impermissible hindsight reconstruction. We appreciate that the examiner corps is advised against it and most examiners try very hard not to fall victim to hindsight reconstruction. We merely suggested that it may have inadvertently occurred here. Applicant suggests that the teaching and state of knowledge at the time

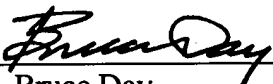
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the inventor was made was away from the claimed combination. The only knowledge relied upon by the examiner from Kresse and Wells is that Kresse discloses a trolley with a trailer and Wells discloses two mop buckets connected together. Neither of these patents are broad in teachings or disclosures. They are very limited in disclosure. All other conclusions are speculation and conjecture.

For these reasons, we urge the rejection to be reversed.

Respectfully submitted,

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I certify that this document is being deposited on November 26, 2001 with the U.S. Postal Service as First Class mail under 37 C.F.R. 1.8 and is addressed to the Hon. Commissioner of Patents, Board of Patent Appeals and Interferences, Washington, DC 20231

